

From: [REDACTED] on behalf of [Lynne Doherty](#)
To: [Nick Bitel](#)
Cc: [Charles Johnston](#); [REDACTED]
Subject: Newbury Sports Ground Development
Date: Friday, June 11, 2021 4:06:55 PM
Attachments: [11.06.21 Nick Bitel Sport England.pdf](#)

Dear Mr Bitel

Please find attached a letter from Cllr Lynne Doherty, Leader of the Council.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]
West Berkshire Council Council Offices Market Street Newbury Berkshire RG14 5LD

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From: [REDACTED]

Sent: 12 May 2021 12:23

To: [REDACTED]
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[REDACTED]
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Subject: App Ref: <insert> - Newbury RFC - Sport England Ref: PA/21/SE/WB/57903

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Dear [REDACTED],

Thank you for consulting Sport England on the above proposal.

Sport England –Statutory Role and Policy

The site is considered to constitute playing field, or land last used as playing field, therefore Sport England advises that this proposal would require statutory consultation, under the terms of the Town and Country Planning (Development Management Procedure) (England) Order 2015, at the formal planning application stage.

Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Para. 97) and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or*
- land which has been used as a playing field and remains undeveloped, or*
- land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England Policy Exceptions

E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

E3	<p>The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none"> ▪ reduce the size of any playing pitch; ▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); ▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; ▪ result in the loss of other sporting provision or ancillary facilities on the site; or ▪ prejudice the use of any remaining areas of playing field on the site.
E4	<p>The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:</p> <ul style="list-style-type: none"> ▪ of equivalent or better quality, and ▪ of equivalent or greater quantity, and ▪ in a suitable location, and ▪ subject to equivalent or better accessibility and management arrangements.
E5	<p>The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.</p>

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

The proposal and the impact on the playing fields

The proposal is for the relocation of the Faraday stadium to this site. The proposal comprises of 2 stands for 200 capacity crowd, a 3G AGP which is to be FIFA compliant and World Rugby 22 compliant, a club house and car park, with storage area. The site is designed to accommodate a Step 4 club. This will result in the loss of approximately 1.1 hectares of playing field, part of which is an area which can accommodate a full-size rugby pitch.

Peer Review

This pre-application response has been peer reviewed by 4 highly experienced Sport England planning managers, prior to its issue.

Assessment against Sport England Policy

The site is the home of Newbury RFC. The adopted West Berkshire PPS states the current pitches at Newbury RFC are significantly over capacity with future projections showing further increased demand due to be placed on the site. I note the intent from West Berkshire to deliver the action plan within the PPS and provide a solution to increase carrying capacity at the site.

I have consulted both the RFU and the FA/FF. For the sake of transparency I am including their comments verbatim:

RFU comments

PA/21/SE/WB/57903 would result in a secured natural turf adult rugby pitch being directly replaced with a 3G adult pitch. The RFU seek assurances that the new AGP pitch would be compliant with World Rugby Regulation 22 standard and that Newbury RFC would have appropriate input into a 'secured formal' user agreement for the 3g pitch. The RFU seek to ensure the club's peak usage needs are considered, and included, appropriately alongside the other users/teams. The RFU also seek clarification on if the proposed 3g pitch would have appropriate sports lighting. In addition to the above, and in line with the PPS to future proof Newbury RFC's pitch carrying capacity, the RFU would seek on site 'financial' contributions in the form of sports lighting to the 'top' adult pitch to ensure appropriate mitigation for the loss of the natural turf pitch.

If neither of the above will be considered the RFU would reject to the proposal that would result in the loss of one rugby pitch.

FA/FF comments

From need perspective:

The FA's Local Football Facility Plan highlights a need for eight 3G AGP's in the West Berkshire area, with a requirement for two of these to be situated in the Newbury area. There is currently one 3G AGP situated at Park House School, but this pitch is not on the 3G register and therefore not available for match play.

Whilst the potential users of the site have yet to be confirmed, the Newbury Community Football Group that has been working to highlight the need for improved facilities in Newbury, is made up of 3 clubs totalling 24 teams who have expressed an interest in utilising any new facility. Furthermore there are two other substantial clubs in the area that would bring the total amount of teams to 50. In order to also provide wider community usage on the site, this demand highlights the need for any new football facility to be available for usage Mon-Fri for training and community usage, and Saturday & Sunday mornings for grassroots match play.

With Newbury having both male and female teams currently operating in the National League System and Women's Pyramid respectively, that are expected to be linked to the project, there is not only need to ensure suitable ground grading (covered separately) to enable them to progress, but also ensure that the facility is available for these League matches. Newbury FC require the facility on Saturday afternoon's with Newbury Ladies requiring the facility on Sunday afternoon's.

The facility should not only meet the technical specifications that are outlined within the Playing Pitch Strategy, but is also required to provide usage to meet the demands of the football clubs and wider football users.

We also need to understand details on the management and operation of the site, where surplus income will go and details on the lease provided to the Council from the Rugby Club. I know we also discussed with the LA around their plans for resurfacing other local facility.

Sport England Comments

In my assessment I have taken into the consideration the comments of both the RFU and the FA/FF in coming to my conclusions/recommendations.

I am inclined to support the RFU's comments on the need to ensure that the AGP be World Rugby Regulation 22 compliant – this can be achieved with construction details being submitted at the time of the planning application and certification post construction via a planning condition. Given the overplay at the site, it is critical that Newbury RFC have priority over the pitch at the recognised peak period. This can be secured by a legal agreement. Finally, it is reasonable as part of the proposal to include sports lighting on the top pitch as requested by the RFU. Regarding the lighting levels for the stadia pitch, as rugby have the same levels as football, I believe it can be assumed that the planning application details will address the issue raised by the RFU.

I am supportive of the comments from the FF/FA on the need for the new 3G AGP and I am aware of the overall football need in the area which was identified in both the PPS and the Local Facilities Football Plan. I am in agreement with the requirement that the facilities meet the relevant technical guidance. Their comment regarding the management of the site is valid and should be explored more fully prior to the planning application being submitted. The issues about leases etc. need to be resolved prior to work commencing on site.

There is a need, which was discussed many times previously, to see a detailed usage programme for the 3G pitch and details on the pricing policy / income & expenditure forecasts. More detail is also needed on the operator of the site and to ensure the focus is very much driven by the needs of football, given this is a replacement for a football facility.

The Design

I have two concerns regarding the proposal:

The new stadia pitch and its support must not interfere with the existing rugby pitches

1.

and their run-off areas. Drawing SSL2788d shows the north corner of the stadia pitch to be extremely close to the run-off of the rugby pitch. The 5 m run-off for the rugby pitch must not be compromised. Given the close proximity to the AGP fencing, it would be wise to carry out a risk assessment for when rugby is played on the site.

2. Sport England does not support communal only showers for a community facility, as they are not equitable and can give rise to safeguarding and privacy issues.

In addition the benches in the corridor could impede safe evacuation of the building and movement through the building by some users; the outward opening door from the accessible toilet into the main thoroughway is not great – the corridor will be reduced to half the width – marking will be needed on the floor to avoid collisions when the door is opened. I would suggest using integral lintel roller shutters as a means of security to the building, especially on the north side of the building and level access thresholds throughout.

We would expect a sustainability statement to be provided for the building and charging points in the car park. The cycle parking should be nearer the entrance to the facilities for security and there should be adequate CCTV installed on the site.

I note that the site has been suggested to accommodate a step 4 club. It would be helpful to have an indicative plan showing how a step 3 facility would be achieved.

Mitigation

As mentioned above, the proposal of this application is to mitigate the loss of Faraday Road Stadium. Yet there is a further loss of playing field which will need to be mitigated. Therefore 3 planning applications are required and these are required to be co-joined in order not to attract a planning objection from Sport England.

For clarity:

- Faraday Road Stadium (FRS) must be replaced before development as per the PPS;
- The replacement and relocation of FRS onto Newbury RFC site would meet our planning policy exception E4/E5, subject to confirmation of technical issues, some of which would be planning conditions. The E5 element is applicable because the playing pitch is to be an artificial grass pitch which has a limited life unlike a grass pitch; and
- A replacement natural turf pitch for the loss of the rugby pitch at Newbury RFC site – thus meeting E4.

Conclusion

Subject to addressing the issues below and particularly the submission of the 3 co-joined planning applications, the proposal could meet our planning policy exceptions E4 and E5. I would strongly urge that a further pre-application for this site and the replacement site is submitted to ensure that all the issues below are addressed and the planning applications do not attract further questions from Sport England or the FA/FF or RFU.

However, failure to link the Faraday Road Stadium site to this future planning application will result in a future objection on the development of FRS. Without a planning application for a replacement natural grass pitch, it will result in an objection to the proposed planning application.

The following points are required to be addressed:

1. Heads of Terms produced to identify:
 - a. A usage plan which addresses the needs of both rugby and football;
 - b. A robust business plan which should include covering the required sinking fund; and
 - c. Details of the management of the stadia and ancillary facilities.
2. The identification of the replacement natural grass pitch site should include a feasibility report based on an agronomist's study. This report should indicate the delivery of the

site within 12 months of work commencing on the Newbury RFC site or redevelopment of Faraday Road Stadium, whichever comes first.

3. A revised pavilion design.
4. A revised layout plan showing the revised pavilion and the position of the AGP in relation to the nearest rugby pitch with dimensions which triangulate the corner or the AGP to the pitch. I would accept 8 figure co-ordinates, if the dimensions were not available. NB if there was a conflict between the run-off and the AGP fencing, looking at the layout I would expect the pitch and building to slide towards the east and still fit the site.
5. Construction details of the 3G AGP showing compliance with World Rugby Regulation 22 and FIFA quality.
6. Confirmation of the sports lighting levels; and
7. Details of the stands with reference to DDA.

Finally, should the redevelopment of FRS result in housing, Sport England will seek a contribution towards sporting infrastructure due to the increase in population.

Sport England reserves the right to object to any subsequent planning application if we do not consider that it accords with our playing fields policy or para 97 of NPPF.

If you require any further information please do not hesitate to contact the undersigned.

Yours sincerely,

[Redacted Signature]

Principal Planning Manager - South Team

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[Redacted]

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E: [Redacted]

Sport England



We are undefeatable



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